

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re INDYMAC MORTGAGE-BACKED
SECURITIES LITIGATION

Master Docket No. 09-Civ. 04583 (LAK)
ECF CASE

This Document Relates To:
ALL ACTIONS

**NOTICE OF LEAD PLAINTIFFS' MOTION FOR FINAL APPROVAL OF THE
PROPOSED PARTIAL CLASS ACTION SETTLEMENT WITH THE INDIVIDUAL
DEFENDANTS AND FINAL CERTIFICATION OF THE SETTLEMENT CLASS**

PLEASE TAKE NOTICE that Wyoming Retirement System and Wyoming State Treasurer ("Lead Plaintiffs"), through counsel, hereby move this Court before the Honorable Lewis A. Kaplan, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure: (a) granting final approval of the proposed Partial Class Action Settlement with Individual Defendants S. Blair Abernathy, John Olinski, Samir Grover, Simon Heyrick and Victor Woodworth (the "Settling Defendants" or "Individual Defendants"); and (b) granting certification of the Settlement Class.¹

PLEASE TAKE FURTHER NOTICE that in support of the motion, Lead Plaintiffs submit and are filing herewith: Lead Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of the Proposed Partial Class Action Settlement With The Individual Defendants

¹ This proposed Partial Settlement does not resolve the claims against the Non-Settling Defendants: IndyMac MBS; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities Inc.; J.P. Morgan Securities Inc., in its own right and as successor-in-interest to Bear, Stearns & Co., Inc.; RBS Securities Inc (as successor to Greenwich Capital Markets, Inc.); Morgan Stanley & Co., Inc.; and UBS Securities LLC.

and Final Certification of the Settlement Class; and the Declaration of Patrick T. Egan in Support of (A) Lead Plaintiffs' Motion for Final Approval of Partial Class Action Settlement With The Individual Defendants and Final Certification of The Settlement Class; and (B) Lead Counsel's Motion for Reimbursement of Expenses and Establishment of Litigation Fund.

The proposed order will be submitted with Lead Plaintiffs' reply submission on or before December 11, 2012.

Dated: November 13, 2012

Respectfully submitted,

BERMAN DEVALERIO

By: s/ Patrick T. Egan

Patrick T. Egan (PE-6812)
One Liberty Square
Boston, Massachusetts 02109
Telephone: (617) 542-8300
Facsimile: (617) 542-1194

Joseph J. Tabacco, Jr. (JT-1994)
Nicole Lavalee (admitted *pro hac vice*)
Anthony D. Phillips
One California Street Suite 900
San Francisco, California 94111
Telephone: (415) 433-3200
Facsimile: (415) 433-6382

*Lead Counsel for Lead Plaintiffs and the
Proposed Settlement Class*